

REMARKS

Claims 1 and 3-16 are pending in the application. By this Amendment, Applicant has canceled claim 10 and amended claims 9 and 11-13. Claims 1, 3-8, and 14-16 remain in the application without amendment.

Claims 1, 5, 6, 7, 9, 10, and 13 stand rejected under 35 USC 102(e) as being anticipated by Nguyen (USPN 6,917,248). Applicant respectfully traverses this rejection for claims 1, 5, 6, and 7.

To anticipate a claim, the reference must teach every aspect of the claimed invention either explicitly or impliedly. (MPEP 706.02(a).) Independent claim 1 recites, among other things, "each of the varactor pairs having a bias voltage input that may be controlled independently of the other varactor pair." The rejection asserts that the cited reference teaches "bias voltages (via diodes 405 from 2.5-0.9v) for each varactor pair." Applicant submits that the cited reference does not teach the combination defined by the claim, including the quoted limitation and particularly "bias voltage input that may be controlled independently of the other varactor pair". Instead, Nguyen describes that the bias voltage on the second set of varactors is always 0.9 V due to the diodes 405 and thus is not controlled independently of the first set of varactors but is fixed to the bias voltage of the diodes. (See column 6, line 44, to column 7, line 11.) Thus, the claim 1 is patentably distinguishable over the cited reference. Furthermore, the 102(e) rejection of claims 5, 6, and 7 should be withdrawn in the next Office action at least by virtue of their dependency on claim 1.

With regard to the 102(e) rejection of claims 9, 10, and 13, claim 9 has been amended to overcome this rejection; claim 10 has been cancelled; and claim 13 has been amended to depend from claim 9 instead of cancelled claim 10.

Independent claim 9 as amended now recites, among other things, "wherein the biasing at

the second node of each varactor pair is controlled independently of the other varactor pair." Nguyen does not teach this limitation. Accordingly, the 102(e) rejection of claim 9, and claim 13 at least by virtue of its dependency on claim 9, should be withdrawn in the next Office action.

Claims 3, 4, 8, 11, 12, and 14-16 stand rejected under 35 USC 103(a) as being unpatentable over Nguyen as the primary reference and in view of other references.

Applicant respectfully submits that claims 3, 4, and 8 should be allowed in the next Office action by virtue of their dependency on claim 1. As previously stated, Nguyen does not describe "each of the varactor pairs having a bias voltage input that may be controlled independently of the other varactor pair" as recited in claim 1.

Applicant has amended claims 11 and 12 to depend from claim 9 instead of cancelled claim 10.

Applicant respectfully submits that claims 11, 12, 14, and 15 should be allowed in the next Office action at least by virtue of their dependency on claim 9 as amended. As previously stated, Nguyen does not describe "wherein the biasing at the second node of each varactor pair is controlled independently of the other varactor pair" as recited in claim 9.

Applicant traverses the 103(a) rejection of claim 16. Nguyen does not describe "each of the varactor pairs having a bias voltage input that may be controlled independently of the other varactor pair" as recited in claim 16. Thus this rejection of claim 16 should be withdrawn in the next Office action.

In view of the foregoing, Applicant submits that all pending claims are in condition for allowance. Applicant respectfully requests the reconsideration and reexamination of this application and the timely allowance of the pending claims. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

If there are any other fees due in connection with the filing of the response, please charge the fees to our Deposit Account No. 17-0026. If a fee is required for an extension of time under 37 CFR 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

Dated: May 24, 2006

By:


Donald C. Kordich
Attorney for Applicant
Registration No. 38,213

QUALCOMM Incorporated
5775 Morehouse Drive
San Diego, California 92121
(858) 658-5928 Ph.
(858) 845-8455 Fax